

ANDREWS CHARGE FALLS.

HARRIS ALSO DISCHARGED

Justice Olmsted Declines to Hold Them for Grand Jury.

Champe S. Andrews, counsel for the County Medical Society, and Dr. John A. Harris, his client, were discharged yesterday by Justice Olmsted, in the Court of Special Sessions. They had been examined on charges of extortion brought by Mrs. John S. Stroindier, who alleged that after her husband and George McKee had been arrested on complaint of Harris, charging them with swindling him out of \$12,000 at faro, he (Harris) and Andrews promised to drop the prosecution if she would do to him her home in Flatbush. The examination began Saturday. Justice Olmsted discharged the defendants without leaving the bench.

Andrews was immediately surrounded by a score of friends and congratulated. He said he might make a statement before he sailed for Europe. Then both he and Harris hurried from the courtroom.

The cross-examination of Dr. Harris began the session yesterday. Acting District Attorney Gans conducted it. Dr. Harris did not appear to enjoy the relentless questioning by Mr. Gans. He went to work to find out about Dr. Harris's loss of \$10,000 in a gambling house near the Waldorf-Astoria. One of Mr. Gans's questions were: "As I understand it, you and Stroindier agreed to go to a gambling house where McKee was to deal for you to play on prearranged signals given by the dealer?"

"That is not so," fairly shouted Dr. Harris. "I was lured into that place and was in fear of my life all the time I was there."

"What was the scheme?" persisted Mr. Gans. "Practically no scheme at all. After the first experience and the loss of \$10,000, Stroindier said I had played in hard luck, and probably if I would put up another \$10,000 I'd be likely to make up what I had lost. He said he would secure me by a note of hand."

The witness said McKee was dealing when he lost the \$2,500, and Stroindier was there. He said he followed Stroindier's instructions in the play after he had been forced to set down to the "faro" layout.

Dr. Harris then said that he never dreamed that while Stroindier was giving him chips with which to play he (Dr. Harris) was playing with his own money.

"Was all the money lost?" Mr. Gans asked. "I suppose so," was the reply. "Anyway, it was all swept away by the man in charge of the box."

Dr. Harris was asked a great many questions concerning his appearance before Deputy Assistant District Attorney Hart, who had charge of the case against Stroindier and McKee in the police court, in the office of the District Attorney. The memory of the witness was dim as to the details of his answers at that time, and his counsel, Austen G. Fox and George Gordon Battle, repeatedly objected to the form of the questions asked by Mr. Gans.

Mr. Fox made the point frequently that Dr. Harris, having visited the District Attorney's office with the best of intentions, was subjected to "star chamber" proceedings, not being represented by counsel. Mr. Fox declared that his client had been badgered into making what sounded like incriminating statements and had been scared by the District Attorney's threats of being taken before the grand jury, with a possibility of being indicted.

Dr. Harris said that he was very much excited while at the District Attorney's office. "I intended to be frank," he declared, "so far as I could without incriminating myself."

"You are very easily frightened for a soldier, are you not?" said Mr. Gans.

"I think very few men could be before the District Attorney as I was and not be frightened," was the reply.

"Please get that answer on the record, despite the District Attorney's objection," exclaimed Mr. Fox. "It's a good one."

Q.—None of the money you played the night the \$10,000 was lost was your money, was it, Dr. Harris? A.—No, sir, at least, I did not know it then. I thought it was Stroindier's.

Q.—Next day you saw your counsel and told him the story, and he told you you had been bugged. How could you possibly have been bugged if you were playing with Stroindier's money? A.—Well, by that time I began to realize that, having only a week to find out how security for the loss of the \$10,000, I had really been playing my own money.

Q.—And your counsel advised your risking more? A.—Yes, he said we might trap them.

Q.—Did you see your counsel on the day that you lost \$2,500 in a room near the Hotel Astor? A.—I believe I did.

Q.—Did you tell him you were going to visit a gambling house? A.—No, I think I told him I was going to follow his advice.

Q.—How long were you in the place losing the \$2,500? A.—Not more than five minutes.

Asked about the conversation he had with Stroindier over the spending of the \$2,500, Dr. Harris said Stroindier first wanted him to risk another \$10,000. Then Stroindier, he said, suggested \$4,000. Dr. Harris finally decided to risk \$2,500.

Q.—Didn't Stroindier on June 27 invite you and Mrs. Harris to dinner on that day and didn't you refuse and go to Manhattan Beach instead? A.—Yes, that is true.

Q.—Didn't you return from Manhattan Beach stop and visit Mr. and Mrs. Stroindier at their home in Flatbush? Why was that? A.—I went to find out how security for the loss of the \$10,000. They told me they had not bought the place but expected to, or another somewhat like it.

This ended the examination of Dr. Harris. John Day, who said he had been a professional gambler, told of being the "capper" in the faro games in which Dr. Harris was placed. He said he was employed by McKee in the fake gambling house near the Waldorf-Astoria, and, acting under orders, admitted to the house on the night of March 17 Stroindier and Dr. Harris.

He said Harris, as soon as he got into the room where the layout was ready, took off his coat, sat down to the table and bought some chips. He did not remember how much money the doctor handed over.

Mr. Fox asked Day: Q.—Ever hear of the expression "capper"? A.—Yes. Sometimes he's a cooster.

Q.—What does he do? A.—He assists in the game.

Q.—You mean when a sucker is being trimmed? A.—I suppose so.

A short recess was taken to enable the lawyers and the District Attorney to arrange their arguments for the summing up. When court reconvened, Mr. Fox closed the defense. He spoke briefly, saying:

I am not going to take up the time of this court with going over the character of the witnesses brought here to swear away the reputations of two such eminent gentlemen as Mr. Andrews and Dr. Harris. Time was when the District Attorney's office would say, after having reached this stage of such a despicable prosecution, that a horrible blunder had been committed and join with the counsel for the defense in a motion for the honorable discharge of the defendants.

Mr. Gans said:

Enough has been proved here to show that there was a corrupt bargain and both Andrews and Harris were parties to it. I say that men like Stroindier and McKee are infinitely to be preferred to respectable men who induce an employee to sell out his employer, even though that employee be the keeper of a gambling house.

We start with this proposition: A man is a trap to get the men who got the money. The trap is sprung. The men are arrested. Are they taken to a police station, as most men are, in a patrol wagon? No. They are taken to Police Headquarters in a carriage paid for by Dr. Harris, so he can talk with them on the way downtown. It is conceded by the defense that there was talk on the way downtown of the money being paid back. Head back, Headon, who made the arrest, was asked to ride on the seat of the carriage with the driver, presumably that he could not hear the conversation about the paying back of the money. Headon very properly refused, and his reputation as a witness as to the conversations about the return of the money

has not been and cannot successfully be impugned. Andrews and Harris had determined to get back part of the money Dr. Harris had lost, and they were determined to get that \$7,500 which they knew was on the person of Stroindier.

Dr. Harris stands here to-day equally guilty with the men who have testified against him as being the backer of one of the dirtiest games known to crooks. He stands here as unworthy as either of them, even as to his word of honor. He is in our office, and when asked questions he gives answers which apparently are true or else his testimony to-day was a lie; so he stands convicted out of his own mouth of lying to a public officer. I think that disposes of Harris, as to his credibility.

Now as to our friend Andrews. He refuses to admit that a scheme to steal from a gambling house keeper is a bargain. Andrews thinks it proper to go to a subordinate and get him to betray his employer. Andrews had such a notion of professional honor that he can go before a magistrate and assure that official that he (Andrews) couldn't produce his man in court when Andrews knew that this man was sitting in Andrews's office.

At the end of Mr. Gans's address Justice Olmsted said:

Without commenting at all on the motives of the prosecution or the defense, but deciding the case on the whole evidence as presented, there is not enough here to warrant holding these men for the grand jury. Consequently they are discharged.

Later Mr. Jerome said:

I will read the evidence carefully and see if a mistake has been made. If one has not been made no further proceedings will be had. If the magistrate erred the case will go to the grand jury.

ATTACK ON AMBLER LAW.

Ex-Justice Herrick Argues That It Invades Vested Rights.

The constitutionality of the Ambler law, which provides for the revocation of the liquor tax certificates held by the proprietors of Rialles law hotels which do not comply with the requirements of the buildings code, was argued again in the Supreme Court yesterday before Justice Greenbaum, when Jacob Born, who has a hotel at No. 2,362 34-ave., asked for the continuance of a preliminary injunction obtained by him a week ago, restraining State Excise Commissioner Cullinan, Deputy Commissioner Healy and Isaac A. Hopper, Superintendent of Buildings, from carrying out an order made for the revocation of his license and the destruction of his hotel. Decision was reserved by Justice Greenbaum after he had heard argument.

Ex-Justice D. Cady Herrick, of Born's counsel, said in his argument:

The Ambler law is in direct violation of the constitution of the State of New-York, in that it deprives, or seeks to deprive, a man of his property without due process of law. It is also contrary to the Constitution of the United States, which prohibits a State passing a law which impairs the obligations of an existing contract. The highest courts in the land have held that a liquor tax certificate is property, and that such a certificate creates a contract between the State and its holder. The Ambler law gives one man the arbitrary power to confiscate a person's certificate, and to another man the right to take down the same person's property and demolish it, and both these officials are empowered to act without due process of law.

Attorney General Mayer argued that the Ambler law did no more than carry out the provisions of the Rialles law, which defined what a hotel should be where traffic in liquor was conducted and set forth what the requirements of such a hotel should be. It provided for the revocation of the certificate in case these requirements were not complied with.

"We do not interfere," he said, "with any other buildings except where liquor is sold, and it is for the local authorities to do so."

Assistant Corporation Counsel John P. O'Brien, representing Superintendent Hopper, argued that the Ambler act simply placed hotels where the liquor business was conducted in the same position as other hotels.

"If you consider this a hotel, how do you justify the destruction of this property?" asked Justice Greenbaum.

Mr. O'Brien said that as a hotel it could not be used for the housing of people unless it complied with the requirements of the building code.

"But the sale of liquor has nothing to do with the housing of people," said Justice Greenbaum.

"We have not been wildly strenuous on that point," said Attorney General Mayer. "I will maintain this building never was a hotel under the provisions of the Liquor Tax law."

Justice Greenbaum then directed briefs to be submitted him on the different questions involved.

CHINATOWN IN GLOOM AT LOSS.

Mrs. Kate O'Donnell and Dan Callahan Die in a Single Night.

There is gloom in Chinatown, for two characters famous in the district are dead. On Sunday evening Mrs. Kate O'Donnell, who for more than half a century lived at No. 5 West, where she was known as the "Queen of Chinatown," and Daniel H. Callahan, of No. 74 East 129th-st., whose saloon at No. 9 Chatham Square was famous, died at their homes.

Daniel H. Callahan came before the public when the saloon on Chatham Square was made over to him in January, 1897, after his brother Mike, the famous politician, died. He ran it for twelve years. Mike's power had been great, and Dan succeeded to much of it.

Mrs. O'Donnell lived in Pell-st. before it was given over to the Chinese. As the Orientals gathered about her power grew. At one time she is reported to have been rich. Her face was familiar at the racetracks, and stories of her betting \$1,000 are common.

DEATH RATE STILL HIGH.

Above Average, but Less Than During Recent Hot Spell.

Twenty and sixty-eight hundredths a thousand of population was the death rate for greater New-York for the week ended Saturday noon, according to the returns to the Health Department. While this is above the average, it is more than seven points lower than the rate of 28, recorded in the previous week of deadly heat.

There were 45 deaths last week, 24 less than the number for the previous week, 69. There were 27 deaths due to heat; 15 in the week before.

The deaths from cerebro-spinal meningitis last week numbered only ten, the lowest number for nearly a year. There were twenty-six such deaths in the week before.

A. H. HUMMEL'S FIGHT FOR DELAY.

Carries to Court of Appeals His Application for Writ to Prevent Trial.

Albany, July 31.—An appeal of Abraham H. Hummel from a decision of the Appellate Division, First Department, denying his application for a writ of prohibition to restrain a justice of the Supreme Court from trying him on three indictments found by the grand jury of New-York County for alleged conspiracy and subornation of perjury in the Dodge divorce case, was filed to-day with the Court of Appeals. He seeks to prevent a trial of the charges on the grounds that the indictments were obtained illegally.

POWER TO TRANSFER ALIEN PAUPERS.

Albany, July 31.—Attorney General Mayer has decided that the State Board of Charities has power to remove an alien or non-resident from an almshouse forcibly and transfer him to his proper residential locality in another State or county, and that this power may be exercised by the Superintendent of State and Allen Poor. The Attorney General finds that a county superintendent has no power to remove an alien or non-resident from a county almshouse in his charge to a steamship or railroad in order to deliver him to an officer of the State Board of Charities.

"It is my opinion," says he, "that the only power the superintendent would have would be such as might be delegated to him by representative of the State Board of Charities."



Why Should You Buy Furniture in August?

Not because a hundred stores are begging you to buy.

Not because scores of those stores get in large stocks of cheap, rickety furniture, at this time, to sell "cheap" to people who can't judge values.

Not because it has come to be a fad to buy Furniture in August.

And yet there are hundreds of housekeepers who really believe (because they have never visited a Wanamaker Sale) that August Furniture Selling is done to thousands of foolish, easily deceived people, who pay all the furniture is worth to secure it.

If it were otherwise, these superb stocks would be exhausted in two weeks' time, or less. For who would wait until October, to pay \$500 for exactly the same furniture as may be bought now for \$400, if they believed that it could be done?

BUT IT CAN BE DONE—it is done by thousands of wise people, in every one of these periodic sales.

The furniture is of the same identical character and quality as our regular stocks—from the same manu-

facturers—often the same patterns. The valuation prices quoted for comparison are not vague, optimistic impressions of what somebody might charge for such furniture; but actual figures for which we have regularly sold the same furniture or its equivalent.

The furniture is above criticism, both in style and quality.

The savings are positive. The variety almost unlimited.

One of the most remarkable features of the present occasion is an offering of

Imported English Furniture at Half Price

This is a superb collection of fine furniture made by the famous Birch concern, in London—furniture expressing the utmost beauty of construction and finish, and lasting for generations. The pieces are mostly correct reproductions of Sheraton, Hepplewhite, Chippendale and others. The opportunity to secure such splendid furniture at half price simply illustrates the ex-

ceptional character of this great WANAMAKER movement.

A list of the pieces follows:

\$30 Inlaid Parlor Chair at \$15	\$215 Inlaid Satinwood Cabinet at \$107.50
\$32 Inlaid Parlor Chair at \$16	\$225 Mahogany Inlaid Dressing Table at \$112.50
\$34 Inlaid Parlor Chair at \$17	\$225 Fumed Oak Wardrobe at \$112.50
\$45 Inlaid Parlor Chair, \$22.50	\$230 Mahogany Inlaid Chest of Drawers at \$115
\$48 Inlaid Parlor Chair at \$24	\$275 Sheraton Writing Desk at \$137.50
\$45 Satinwood Parlor Table at \$22.50	\$300 Inlaid Mahogany Kidney Table at \$150
\$55 Inlaid Parlor Chair, \$27.50	\$300 Inlaid Mahogany Washstand at \$150
\$52 Inlaid Parlor Chair at \$26	\$300 Inlaid Mahogany Writing Table at \$150
\$65 Inlaid Parlor Chair, \$32.50	\$325 Inlaid Mahogany China Cabinet at \$162.50
\$70 Inlaid Parlor Chair at \$35	\$330 Inlaid Mahogany Cabinet at \$165
\$72.50 Inlaid Satinwood Table at \$36.25	\$425 Sheraton Sideboard at \$212.50
\$80 Inlaid Parlor Chair at \$40	\$425 Hepplewhite Sideboard at \$212.50
\$105 Inlaid Satinwood Curio Cabinet at \$52.50	\$425 Inlaid Mahogany Satinwood Cabinet at \$212.50
\$115 Nest of Four Satinwood Tables at \$57.50	\$445 Mahogany Inlaid Sideboard at \$222.50
\$115 Fumed Oak Cabinet at \$57.50	\$550 Inlaid Mahogany Bookcase at \$275
\$110 Fumed Oak Dressing Table at \$55	\$625 Inlaid Mahogany Wardrobe at \$312.50
\$150 Inlaid Mahogany Writing Table at \$75	
\$150 Mahogany Cabinet at \$75	
\$150 Inlaid Mahogany Cheval Glass at \$75	
\$175 Fumed Oak Chest of Drawers at \$87.50	
\$200 Inlaid Satinwood Cabinet at \$100	

Parlor Suites

\$35 Three-piece Mahogany Suite at \$23	\$85 Three-piece Mahogany Suite, \$42.50
\$50 Three-piece Mahogany Suite at \$33	\$95 Three-piece Mahogany Suite, \$47.50
\$85 Three-piece Mahogany Suite, \$42.50	\$100 Three-piece Mahogany Suite, \$50
\$120 Three-piece Mahogany Suite, \$60	\$125 Three-piece Mahogany Suite, \$75
\$125 Three-piece Mahogany Suite, \$85	\$170 Three-piece Mahogany Suite, \$85
\$220 Two-piece Mahogany Suite, \$110	\$325 Three-piece Walnut Suite at \$125

Parlor Cabinets

\$55 Gold Cabinet at \$35	\$215 Rosewood Cabinet at \$140
\$65 Gold Cabinet at \$45	\$300 Gold Cabinet at \$155
\$90 Gold Music Cabinet at \$60	\$250 Gold Cabinet at \$160
\$100 Mahogany Music Cabinet at \$65	\$350 Mahogany Cabinet at \$175
\$150 Mahogany Cabinet at \$99	\$275 Gold Cabinet at \$180
\$140 Gold Music Cabinet at \$90	
\$150 Gold Cabinet at \$100	
\$150 Gold Cabinet at \$110	
\$225 Gold Cabinet at \$140	

Parlor Tables

\$75 Inlaid Mahogany Parlor Table, \$45.50	\$12 Mahogany Parlor Table at \$8
\$85 Inlaid Mahogany Parlor Table, \$55.50	\$15 Mahogany Parlor Table at \$10
\$100 Mahogany Parlor Table at \$75.50	\$20 Mahogany Parlor Table at \$13
\$120 Mahogany Parlor Table at \$85	\$27 Mahogany Parlor Table at \$13.50
\$125 Mahogany Parlor Table at \$85	\$30 Mahogany Parlor Table at \$14
\$140 Mahogany Parlor Table at \$90	\$30 Mahogany Parlor Table at \$21
\$150 Mahogany Parlor Table at \$95	\$40 Mahogany Parlor Table at \$24.50
\$155 Mahogany Parlor Table at \$95	\$55 Mahogany Parlor Table at \$25
\$160 Mahogany Parlor Table at \$95	\$55 Mahogany Parlor Table at \$25
\$175 Mahogany Parlor Table at \$98	\$55 Mahogany Parlor Table at \$25

Center Tables

\$4 Oak Center Table at \$2.75	\$12 Oak Center Table at \$8
\$5.50 Oak Center Table at \$3.50	\$12 Oak Center Table at \$8
\$7 Oak Center Table at \$4.50	\$13.50 Oak Center Table at \$8.50
\$8 Oak Center Table at \$5.50	\$16 Oak Center Table at \$11
\$10 Oak Center Table at \$6.50	\$18 Oak Center Table at \$12
\$12 Oak Center Table at \$7.50	\$25 Oak Center Table at \$25

Library Tables

\$12 Oak Library Table at \$7.50	\$35 Oak Library Table at \$22
\$17.50 Oak Library Table at \$11	\$40 Oak Library Table at \$25
\$18 Oak Library Table at \$12	\$40 Oak Library Table at \$25
\$20 Oak Library Table at \$13	\$45 Oak Library Table at \$28
\$25 Oak Library Table at \$15	\$55 Oak Library Table at \$35
\$30 Oak Library Table at \$18	\$55 Mahogany Library Table at \$35
\$35 Oak Library Table at \$22	\$80 Oak Library Table at \$50
\$40 Oak Library Table at \$25	\$110 Mahogany Library Table, \$72.50
\$45 Oak Library Table at \$28	\$125 Mahogany Library Table at \$80

Bookcases

\$11 Golden Oak Bookcase at \$7.50	\$25 Golden Oak Bookcase at \$17
\$15 Golden Oak Bookcase at \$10	\$28 Golden Oak Bookcase at \$18.50
\$20 Inlaid Mahogany Bookcase at \$15	\$35 Golden Oak Bookcase at \$22
\$27 Golden Oak Bookcase at \$19	\$35 Mahogany Bookcase at \$25
\$35 Mahogany Bookcase at \$22	\$40 Golden Oak Bookcase at \$28
\$40 Golden Oak Bookcase at \$28	\$55 Golden Oak Bookcase at \$40
\$55 Mahogany Bookcase at \$35	\$80 Mahogany Bookcase at \$50
\$80 Mahogany Bookcase at \$50	\$100 Mahogany Bookcase at \$60

Easy Chairs

\$25 Turkish Chair at \$20	\$45 English Fireside Chair at \$45
\$45 Turkish Chair at \$35	\$45 Imported English Arm Chair, \$45
\$48 Leather Arm Chair at \$35	\$55 Moroccan Arm Chair at \$55
\$48 Leather Turkish Chair at \$40	\$55 Moroccan Arm Chair at \$55
\$55 Turkish Rocker at \$45	\$80 English Fireside Chair at \$50
\$65 English Fireside Chair at \$45	
\$65 Imported English Arm Chair, \$45	
\$80 Moroccan Arm Chair at \$55	
\$80 Moroccan Arm Chair at \$55	
\$80 English Fireside Chair at \$50	

Brass Bedsteads

\$24 Brass Bedsteads at \$10.50	\$48 Brass Bedsteads at \$25
\$28 Brass Bedsteads at \$12	\$58 Brass Bedsteads at \$28
\$40 Brass Bedsteads at \$20	\$58 Brass Bedsteads at \$28.50
\$48 Brass Bedsteads at \$25	\$75 Brass Bedsteads at \$40
\$58 Brass Bedsteads at \$28	\$80 Brass Bedsteads at \$47.50
\$58 Brass Bedsteads at \$28.50	
\$75 Brass Bedsteads at \$40	
\$80 Brass Bedsteads at \$47.50	



AUGUST SALE OF FURS

Advance Showing of Styles for 1905-6
With Remarkable Price-Savings for August Buyers

August is not a month to make one feel the necessity of fur garments; but the fur industry is particularly adapted to favoring the market operations of those who know it.

Skins have to be bought far ahead, and a great many manufacturers are exceedingly anxious to secure early orders—to see money coming in to meet the demands of pay-rolls and bills coming due. Taking advantage of this condition, we have made large purchases of fine new fur garments and small furs for a great August Sale.

Styles are all fixed for the season. The furs are all ready. There is almost prodigious variety here to select from. The only question to decide is: "Shall I wait until the Furs are needed; or shall I buy now and save a fifth, a quarter, or even a third of the value?"

Many women buy furs in the Spring, and pay for the alterations the next season, in order to secure a saving no larger than we offer now, on superb new garments, of choicest furs, in the season's most charming and correct styles.

The advantage is most decisive. New York women will be prompt to appreciate it. The garments will be held and delivered later on, whenever it is so desired—relieving you of all the care of the furs, until you actually want them. A brief list of the pieces follows:

SABLE SQUIRREL BLOUSES

Fable squirrel is to be one of the most popular furs of the year. Of course there is no such thing as natural color; sable squirrel, but by a new process of dyeing the pale color squirrel skins are dyed a beautiful brown, making the skins similar to sable in color. The dye leaves the fur soft, bright and very silky.

Our August Sale presents a large variety of Sable Squirrel Coats, absolutely exclusive to ourselves. They are all marked \$25 to \$35 below the prices that the garments would sell for in the season.

At \$75 there are very pretty Blouse Coats, with large lapels, carefully modeled skirts, heavy corded belts and linings of heavy silk brocade. These jackets are ornamented with hand-sewn green bronze buttons, and sell in the ordinary way for \$100. Now \$75 each.

At \$95, \$95, \$125 and \$130 there are fourteen excellent models from which to choose.

Sable Squirrel Coats will be made to order, if desired, without any extra charge.

PERSIAN LAMB COATS For Women

The Coats are made from small, medium size and large curl Persian lamb skins, both the round and flat sorts, and coats to measure may be selected in any of the six kinds of skins preferred, which are warranted Leipzig dyed. Every coat is new, and represents high quality and first-class workmanship throughout. The garments will be made to special measure without extra charge; and for fitting stock fur coats we make no charge.